

The committee shall not consider any bills unless a printed copy of such bill or the bill itself is presented to the committee.

The resolution was read and was adopted.

Accordingly, the President announced the appointment of the following as the Local and Uncontested Bills Committee: Senators Calhoun, Chairman; Dies, Hardeman, Ratliff and Strong.

#### Welcome Resolutions

S. R. No. 168—By Senator Patman: Extending welcome to a group of public spirited citizens from Calhoun and Victoria Counties.

S. R. No. 170—By Senator Dies: Extending welcome to John R. Barber of Jacksonville.

S. R. No. 171—By Senator Owen: Extending welcome to Senora Garcia Roel of Monterrey, Mexico.

S. R. No. 172—By Senator Herring: Extending welcome to students and teacher of Reilly Elementary School of Travis County.

S. R. No. 173—By Senator Watson: Extending welcome to Mrs. Margie Abbott, et al. of Rockdale, Texas.

S. R. No. 176—By Senator Creighton: Extending welcome to students and teacher of Brock Public School.

S. R. No. 177—By Senator Moffett: Extending welcome to Superintendent E. R. Howard, et al. of Chillicothe.

S. R. No. 178—By Senator Krueger: Extending welcome to C. F. Gossett of El Campo.

#### Memorial Resolutions

S. R. No. 169,—By Senators Aikin and Hall: Memorial Resolution for Samuel Robert McWhirter of Hunt County.

S. R. No. 174—By Senator Watson: Memorial resolution for Mrs. Florence Spiegel of Temple.

#### Adjournment

On motion of Senator Moffett the Senate at 12:01 o'clock p.m. adjourned until 12:00 o'clock noon on tomorrow.

### THIRTY-FIRST DAY

(Thursday, February 28, 1963)

The Senate met at 12:00 noon, pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Crump	Ratliff
Dies	Reagan
Hall	Richter
Hardeman	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word

Absent—Excused

Creighton

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the preceedings of yesterday was dispensed with and the Journal was approved.

#### Leave of Absence

Senator Creighton was granted leave of absence for today on account of important business on motion of Senator Crump.

#### Message from the House

Hall of the House of Representatives  
Austin, Texas,  
February 28, 1963.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 260, A bill to be entitled "An Act requiring all meetings of the governing bodies of municipalities, county commissioners, boards of education and school trustees, and all other boards, commissions or organizations, except grand juries, sup-

ported in whole or in part by public funds or expending public funds, to be public meetings; providing a penalty for violation of the provisions of this Act; providing for severability; repealing all laws in conflict; and declaring an emergency."

S. B. No. 62, A bill to be entitled "An Act amending Chapter 22, Acts of the 56th Legislature, Third Called Session, 1959, relating to the Jackson County Flood Control District by adding a new section thereto authorizing the District to exercise all powers, rights, privileges, and functions which are now, or hereafter may be, conferred by General or Special Law upon Water Improvement Districts and Water Control and Improvement Districts created pursuant to Section 59 of Article XVI of the Constitution of Texas; and declaring an emergency."

S. B. No. 166, A Bill to be entitled "An Act creating a conservation and reclamation district under Article XVI, Section 59, of the Constitution of Texas, comprising certain territory contained in Bosque County, Texas, to be known as Lakeside Water Supply District, etc., and declaring an emergency."

(With amendment)

H. B. No. 333, A bill to be entitled "An Act amending paragraphs (6), Section 3, of Chapter 154, Acts of the Fifty-Second Legislature, Regular Session, 1951 (codified as Article 4590e, Vernon's Annotated Civil Statutes of Texas, known as the Healing Arts Identification Act), to provide the identification which shall be used by persons licensed to practice the healing art by the State Board of Chiropractic Examiners; providing that this Act shall not invalidate or affect any outstanding license; providing that the unconstitutionality of any part of this Act shall not affect the validity of the remainder of the Act; providing for the repeal of any conflicting laws; and declaring an emergency."

H. B. No. 334, A bill to be entitled "An Act amending Article 4570, Chapter 11, Title 71, of the Revised Civil Statutes of Texas, 1925, as amended by Section 3 of Chapter 5, Title: Public Health, page 368, Acts of the Forty-Sixth Legislature, Regular Session, 1939, and Section 3

of Chapter 132, Acts of the Fifty-second Legislature, Regular Session, 1951, to provide the qualifications for eligibility to take examinations for license to practice chiropractic in the State of Texas; providing that this Act shall not invalidate or affect any outstanding license; providing that unconstitutionality of any part of this Act shall not affect the validity of the remainder of the Act; providing for the repeal of any conflicting laws; and declaring an emergency."

H. B. No. 335, A bill to be entitled "An Act amending Section 4 of Chapter 209, Acts of the 48th Legislature, Regular Session, 1943 (compiled as Article 978 1-2 of Vernon's Texas Penal Code), which relates to the taking of game birds, game animals, and fur-bearing animals west of the Pecos River; vesting the Game and Fish Commission with full power and discretion to regulate the taking of wild deer in that area; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### Reports of Standing Committees

Senator Aikin submitted the following reports:

Austin, Texas,

February 28, 1963.

Hon. Preston Smith, President of the Senate:

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 266, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

AIKIN, Chairman.

Austin, Texas,

February 28, 1963.

Hon. Preston Smith, President of the Senate:

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 303, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

AIKIN, Chairman.

Austin, Texas,  
February 28, 1963.

Hon. Preston Smith, President of the Senate:

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 220, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,  
February 28, 1963.

Hon. Preston Smith, President of the Senate:

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 239, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,  
February 28, 1963.

Hon. Preston Smith, President of the Senate:

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 240, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,  
February 28, 1963.

Hon. Preston Smith, President of the Senate:

Sir: We, your Committee on State Affairs, to which was referred H. B. No. 75, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senator Dies submitted the following report:

Austin, Texas,  
February 27, 1963.

Hon. Preston Smith, President of the Senate:

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 10, have had the same under consideration, and we are instructed to report it back to the

Senate with the recommendation that it do pass, and be printed.

DIES, Chairman.

Senator Reagan submitted the following reports:

Austin, Texas,  
February 28, 1963.

Hon. Preston Smith, President of the Senate:

Sir: We, your Committee on Banking, to whom was referred S. B. No. 298, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

REAGAN, Chairman.

Austin, Texas,  
February 28, 1963.

Hon. Preston Smith, President of the Senate:

Sir: We your Committee on Banking, to whom was referred H. B. No. 115, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

REAGAN, Chairman.

#### Presentation of Guest

Senator Schwartz by unanimous consent presented his cousin, Evri B. Mendel, M. D., of Dallas and requested that he be granted the privileges of the floor for the day.

#### House Bill 10 Ordered Not Printed

On motion of Senator Hall and by unanimous consent H. B. No. 10 was ordered not printed.

#### Senate Resolution 184

Senator Blanchard offered the following resolution:

Whereas, We are honored to have as a visitor in the Senate, Miss Tonda Curry of Wolfforth, Texas, whose outstanding beauty and talents have won for her the coveted title of "Miss Rural Electrification"; and

Whereas, This young Texas beauty is sixteen years old, a junior in Friendship High School, Wolfforth, Texas, and is the daughter of Mr. and Mrs. Doyle Curry; and

Whereas, Miss Curry advanced through state competition at Corpus Christi after winning the "Miss South Plains Electric" title at Lubbock. She

won the national contest at a meeting of the National Rural Electric Cooperatives at Las Vegas, Nevada; and

Whereas, She was runnerup for the title of "Miss Majorette of Texas," finalist in the South Plains Fat Stock Show princess contest for two consecutive years, and represented the Wolfforth Lions Club in the district queen contest last year; and

Whereas, She was "Homecoming Queen" at her school, Band Sweetheart, West Texas Twirling Sweetheart, Valentine Queen, FFA Sweetheart at her school, and was district FFA queen one year; and

Whereas, She was featured as a twirler in the Sun Bowl Parade at El Paso last New Year's Day. Her ambition is to study home economics at Texas Tech and swirl with the Texas Tech Band, and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; Now, therefore, be it

Resolved, That her presence be recognized by the Senate of Texas, that "Miss Rural Electrification" be extended the official welcome of the Senate and that she be invited to address the Senate, and that this charming young lady be extended the Senate's congratulations on the honor she has already been awarded, and that we convey to her our best wishes for a most happy and successful future of fame and fortune.

The resolution was read and was adopted.

The President appointed Senators Blanchard, Kazen, Moffett, Owen and Richter to escort Miss Curry to the President's Rostrum.

The President presented Senator Blanchard and he introduced Miss Tonda Curry, who among other awards, has been named "The National Miss Rural Electrification" to the members of the Senate.

Miss Curry addressed the Senate expressing appreciation for the honor bestowed upon her by the Senate and the State of Texas and promised to represent Texas to the very best of her ability.

Senator Blanchard also presented Mrs. Curry, the mother of Miss Curry, to the Members of the Senate.

The Lieutenant Governor, on behalf

of Governor Connally, who could not be present, presented Miss Curry a certificate as Ambassador of Good Will of the State of Texas.

#### Bill and Resolution Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bill and resolution:

S. C. R. No. 25, Requesting the Governor to return S. B. No. 171 to the Senate for correction.

S. B. No. 124, A bill to be entitled "An Act amending Article 1738 of the R. C. S. of 1925, as amended, providing for the transfer by the Supreme Court of cases from one Court of Civil Appeals to another; and declaring an emergency."

#### Senate Resolution 185

Senator Strong offered the following resolution:

Whereas, While driving upon U. S. Highway 84, on the night of October 19, 1962, Roy Lee Butler came upon a serious accident and

Whereas, With great presence of mind and a feeling of responsibility toward his fellowman, the said Roy Lee Butler stopped his truck, ministered to the injured, directed traffic, and gave invaluable aid and assistance to the law enforcement authorities at a personal sacrifice of time, and with risk to his personal life as was reflected by narrowly avoiding being struck by an automobile while attempting to direct traffic around the accident, and

Whereas, His service in this event has been recognized by the presentation to him of the "Hobbs Knight of the Road Award" by the Texas Department of Public Safety; Now, therefore, be it

Resolved, That the Senate of the State of Texas, does express its appreciation to Roy Lee Butler of Panola County, Texas, for not only his service to humanity and his fellowman in this instance, but for the example which he has set for others to follow.

The resolution was read and was adopted.

#### Senate Bills on First Reading

The following bills were introduced,

read first time and referred to the Committee indicated:

By Senator Owen:

S. B. No. 321, A bill to be entitled "An Act relating to the licensing of certain child-care institutions by the State Department of Public Welfare, amending Article 695c, Sec. 8(a)2(a) of Vernon's Texas Civil Statutes as amended, amending Section 1 of Chapter 402, Acts of the Fifty-first Legislature, Regular Session, 1949, to provide that certain child-caring facilities as defined in the Act shall not be required to obtain a license to operate from the State Department of Public Welfare; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Patman:

S. B. No. 322, A bill to be entitled "An Act authorizing district judges to draw a warrant on the appropriate county fund, in certain instances, to cover the cost of bringing meals into the jury room so that juries may be kept together for deliberation; limiting such expenditures to One Dollar (\$1) per juror per meal; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Richter:

S. B. No. 323, A bill to be entitled "An Act amending Section 66 of Chapter 25, Acts of the 39th Legislature, Regular Session, 1925 (compiled as Article 7880-66 of Vernon's Texas Civil Statutes); amending Article 1053; and amending Paragraph 5 of Article 7206 of the Revised Civil Statutes of Texas, 1925; to provide that where the board of equalization has raised the assessment of any person's property, then the written notice to the owner of the property shall describe the property on which the assessment is to be raised, and the figure to which the board intends to raise it; providing that the board of equalization of every agency or political subdivision of this state which is authorized to levy ad valorem taxes shall when the property has been rendered for taxation by the owner or his agent, likewise include in their notice of reassessments a description of the property and the figure to which the assessment is to be raised; eliminating the provision in Section 66 of Chapter 25, Acts of the 39th Legislature, 1925, providing that fail-

ure to give notice shall not relieve owner of duty to take notice and attend meeting; and declaring an emergency."

To the Committee on State Affairs.

By Senator Rogers:

S. B. No. 324, A bill to be entitled "An Act enabling each county to create a County Hospital Authority without taxing power; defining terms used in the Act; prescribing the procedure to be followed in creating such Authorities, the method of appointing directors and election of officers, their powers and duties; restricting the territory of an Authority to boundaries of the County creating it; providing for the issuance of Authority's revenue bonds after notice and opportunity for referendum election; prescribing the details for issuance, approval and sale of such bonds and the use to be made of the proceeds; providing for selection of depositories; exempting Authority's property from taxation; conferring the power of eminent domain; providing for investment of funds; conferring the power to accept donations; prescribing a severability clause; providing bonds issued by the Authority shall be lawful investments and security for deposits in certain instances; enacting other provisions related to the subject; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

#### House Bill on First Reading

The following bill received from the House, were read the first time and referred to the Committee indicated:

H. B. No. 288, To the Committee on Jurisprudence.

#### Senate Bill 166 With House Amendments

Senator Word called S. B. No. 166 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Word moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

## Yeas—30

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Crump	Ratliff
Dies	Reagan
Hall	Richter
Hardeman	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word

## Absent—Excused

Creighton

**Motion to Print Minority Report  
on Senate Joint Resolution 18**

Senator Spears moved to print the Minority Report on S. J. R. No. 18.

Senator Owen raised the point of order that a motion to print on minority report is not in order when no report on the resolution has been received in the Senate from the committee to which the resolution has been referred.

The President sustained the point of order.

**House Bill 10 on Second Reading**

Senator Hall moved that Senate Rules 116, 13, and 38 and Section 5 of Article III of the State Constitution be suspended and that H. B. No. 10 be taken up for consideration at this time.

The motion prevailed by the following vote:

## Yeas—27

Aikin	Moffett
Bates	Moore
Blanchard	Owen
Calhoun	Patman
Cole	Ratliff
Colson	Reagan
Crump	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Herring	Strong
Kazen	Watson
Kennard	Word
Krueger	

## Absent

Dies	Parkhouse
Hazlewood	

## Absent—Excused

Creighton

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 10, A bill to be entitled "An Act amending Section 2 of Chapter 333, Acts of the 42nd Legislature, Regular Session, 1931, as amended by Section 1, Chapter 49, Acts of the 43rd Legislature, Regular Session, 1933 (compiled as Section 2, Article 1605a, Vernon's Texas Civil Statutes), so as to raise the maximum amount allowed to be spent by the county commissioners courts on office buildings or jails from One Hundred and Fifty Thousand Dollars (\$150,000) to Two Hundred Thousand Dollars (\$200,000) in cities other than the county seat; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 10 on Third Reading**

Senator Hall moved that Senate Rules 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 10 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—27

Aikin	Moffett
Bates	Moore
Blanchard	Owen
Calhoun	Patman
Cole	Ratliff
Colson	Reagan
Crump	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Herring	Strong
Kazen	Watson
Kennard	Word
Krueger	

## Absent

Dies	Parkhouse
Hazlewood	

## Absent—Excused

Creighton

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote.

## Yeas—27

Aikin	Moffett
Bates	Moore
Blanchard	Owen
Calhoun	Patman
Cole	Ratliff
Colson	Reagan
Crump	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Herring	Strong
Kazen	Watson
Kennard	Word
Krueger	

## Absent

Dies	Parkhouse
Hazlewood	

## Absent—Excused

Creighton

## House Bill 235 on Second Reading

Senator Blanchard moved that Senate Rules 116 and 13 and Section 5 of Article III of the State Constitution be suspended and that H. B. No. 235 be taken up for consideration at this time.

The motion prevailed by the following vote:

## Yeas—27

Aikin	Moffett
Bates	Moore
Blanchard	Owen
Calhoun	Patman
Cole	Ratliff
Colson	Reagan
Crump	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Herring	Strong
Kazen	Watson
Kennard	Word
Krueger	

## Absent

Dies	Parkhouse
Hazlewood	

## Absent—Excused

Creighton

The President laid before the Senate on its second reading and passage to third reading.

H. B. No. 235, A bill to be entitled "An Act authorizing the Commissioners Courts of counties within the 121st Judicial District to pay certain amounts to the district judge of such district to defray certain necessary expenses; providing for severability; and declaring an emergency."

The bill was read second time and was passed to third reading.

## House Bill 235 on Third Reading

Senator Blanchard moved that Senate Rules 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 235 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—27

Aikin	Moffett
Bates	Moore
Blanchard	Owen
Calhoun	Patman
Cole	Ratliff
Colson	Reagan
Crump	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Herring	Strong
Kazen	Watson
Kennard	Word
Krueger	

## Absent

Dies	Parkhouse
Hazlewood	

## Absent—Excused

Creighton

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—26

Aikin	Blanchard
Bates	Calhoun

Cole	Moore
Colson	Owen
Crump	Patman
Hall	Ratliff
Hardeman	Reagan
Harrington	Richter
Herring	Schwartz
Kazen	Spears
Kennard	Strong
Krueger	Watson
Moffett	Word

Nays—1

Rogers

Absent

Dies	Parkhouse
Hazlewood	

Absent—Excused

Creighton

**House Bills on First Reading**

The following bills received from the House, were read the first time and referred to the committees indicated:

H. B. No. 334, To the Committee on Public Health.

H. B. No. 333, To the Committee on Public Health.

H. B. No. 335, To the Committee on Game and Fish.

H. B. No. 260, To the Committee on State Affairs.

**Welcome Resolutions**

S. R. No. 180—By Senators Harrington and Cole: Extending welcome to Mrs. Nettie Bonner Lewis, et al.

S. R. No. 181—By Senator Reagan: Extending welcome to Mr. and Mrs. W. N. Woolsey and Mrs. R. W. Woolsey of Corpus Christi.

S. R. No. 183—By Senator Word: Extending welcome to Carroll C. Curry of Itasca.

S. R. No. 186—By Senator Rogers: Extending welcome and privileges of floor to Mr. and Mrs. Gene Mitchell et al. of Plainview.

**Memorial Resolution**

S. R. No. 182—By Senator Strong: Memorial resolution for Clarence Richardson.

**Adjournment**

On motion of Senator Moffett at 12:54 o'clock p.m., the Senate adjourned until 11:00 o'clock a.m. on Monday, March 4, 1963.

**THIRTY-SECOND DAY**

(Monday, March 4, 1963)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Hall	Richter
Hardeman	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word

Absent—Excused

Dies

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 28, 1963, was dispensed with and the Journal was approved.

**Leave of Absence**

Senator Dies was granted leave of absence for today on account of illness on motion of Senator Aikin.

**Message from the House**

Hall of the House of Representatives  
Austin, Texas,  
March 4, 1963.

Hon. Preston Smith, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following: